

**AVALON CITY COUNCIL MEETING
TUESDAY, JANUARY 7, 2014 – 6:00 P.M.
CITY COUNCIL CHAMBERS
410 AVALON CANYON ROAD, AVALON
A G E N D A**

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact Denise Radde, City Clerk (310) 510-0220. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35.104 ADA Title II). All public records relating to an agenda item on this agenda are available for the public inspection at the time the records are distributed to all, or a majority of all, members of the City Council. Such records shall be available at City Hall located at 410 Avalon Canyon Rd.

CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION / ROLL CALL

ANNOUNCEMENTS / WRITTEN COMMUNICATIONS

PRESENTATION

Catalina C.H.O.I.C.E.S. update.

ORAL COMMUNICATION

Members of the public may address the City Council at this time. No action will be taken on non-agenda items at this meeting. Speakers should limit comments to three (3) minutes each.

CONSENT CALENDAR

All items listed on the Consent Calendar are considered to be routine by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a specific item is removed from the Consent Calendar for further discussion and possible action.

1. Actions

Although the live recording is the official record of public meetings, actions are prepared for the Council's approval.

Recommended Action

Approve actions from the December 3, 2013 and December 17, 2013 City Council meetings.

2. Expenditures Submitted for Approval

- Warrants in the amount of \$1,191,050.23
- Payroll in the amount of \$372,041.27
- Electronic Fund Transfer for the Fuel Dock Sales Tax in the amount of \$3,913.00

Recommended Action

Approve total expenditure amount of \$1,567,004.50.

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3. Vehicle Noise Ordinance Enforcement Administrative Policy
Administrative Policy for the enforcement timeline of Avalon Municipal Code Section 4-4.1713 Vehicle Noise, per City Council direction.
Recommended Action
Review and approve Administrative Policy for the enforcement timeline of Avalon Municipal Code Section 4-4.1713 Vehicle Noise.

4. Annual Report on the Development Agreement between the City of Avalon and Hamilton Pacific, LLC
The Development Agreement requires an annual report on the status of the development governed by the agreement.
Recommended Action
Receive and file the report.

5. Project Management Contract Services with Local Government Services Authority (LGS)
LGS Staff member will continue to provide budget related services as well as information technology, organizational development, human resources and contract management.
Recommended Action
Authorize the City Manager to award and enter into a professional services contract with Local Government Services Authority (LGS) to provide project management services in areas determined by the City Manager.

6. RFP for Joe Machado Field Concession Stand Lessee
The Joe Machado Concession Stand construction is scheduled for completion in mid-April of 2014. However, The City of Avalon desires to have a concessionaire in place prior to the completion of the construction, and therefore proposes to begin advertising immediately for this contract.
Recommended Action
Authorize Staff to proceed with Advertisement for Public Bids on the Joe Machado Field Concession Stand Lessee and approve the RFP document details.

GENERAL BUSINESS

7. Encroachment Permit for Southern California Edison (SCE) Underground Utility Vaults at Two Locations
The applicant, Henkels & McCoy, SCE's authorized subcontractor is proposing to remove and replace two existing underground utility vaults in the public right of way in the street. The vaults are located: (1) Between 123 Metropole Avenue and Crescent Avenue and (2) Adjacent to 131 Metropole Avenue. The existing vaults have reached the end of their lifespan.
Recommended Action
Approve Encroachment Permits with recommended conditions.

8. Plastic Bag Ban Presentation and Discussion
Staff was directed to bring this item forward for Council consideration.

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9. Transportation Permit Amendment for "Bike Catalina"
Bike Catalina was approved at the November 6, 2013 Vehicle Hearing for an Interior Commercial Permit. They would now like to amend their transportation permit to allow for the pick up and drop off of customers at the Tour Plaza and the Airport -in -the - Sky.
Recommended Action
Approve and direct Staff to finalize terms and conditions for Bike Catalina's amended transportation permit.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

COUNCILMEMBER REPORTS

MAYOR REPORT

ADJOURN

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda for January 7, 2014 was posted on Friday, January 3, 2014, on the City's website www.cityofavalon.com, and at City Hall, 410 Avalon Canyon Road. Copies of agendas and staff reports are available at City Hall.



Denise A. Radde, City Clerk / Chief Administrative Officer

CITY COUNCIL

MEETING DATE: January 7, 2014

AGENDA ITEM: 1

ORIGINATING DEP: City Clerk

CITY MANAGER: BA

PREPARED BY: Denise Radde, City Clerk

SUBJECT: City Council Actions

RECOMMENDED ACTION(S):

Approve City Council Actions from the regular City Council meetings on December 3, 2013 and December 17, 2013.

REPORT SUMMARY:

Although the live recording is the official record of public meetings, actions are prepared for the Council's approval.

FISCAL IMPACTS:

N/A

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:

N/A

FOLLOW UP ACTION:

File actions in the City Clerk's office.

ADVERTISING, NOTICE AND PUBLIC CONTACT:

This item was properly listed on the posted agenda.

ATTACHMENTS:

City Council Actions will be provided under separate cover.

AVALON CITY COUNCIL

MEETING DATE: January 07, 2014

AGENDA ITEM: 2

ORIGINATING DEPT: Finance

CITY MANAGER: BH

PREPARED BY: Betty Jo Garcia - Finance Director

DEPT. HEAD: Bjg

SUBJECT: Warrant List

RECOMMENDATION(S): Approve the warrants in the amount of \$1,191,050.23 and the payrolls in amount of \$372,041.27 and the Electronic Fund Transfer for Fuel Dock Sales Tax in the amount of \$3,913.00 for a total expenditure amount of \$1,567,004.50.

REPORT SUMMARY: Attached you will find the warrant list for all general warrants issued for the the dates as indicated drawn on U.S. Bank. The warrant list represents check numbers #17484 - #17572 in the amount of \$1,191,050.23 for a total expenditure amount of \$1,191,050.23.

Also represented are the payrolls dated December 13, 2013 in the amount of \$187,291.69 and December 27, 2013 in the amount of \$184,749.58 for a total expenditure amount of \$372,041.27.

Also represented is the Electronic Fund Transfer for Fuel Dock Sales Tax for the month of December 2013 in the amount of \$3,913.00 for a total expenditure amount of \$3,913.00.

FISCAL IMPACT: There are sufficient funds available, and the expenditures have been approved in the adopted fiscal year 13/14 budget.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION(S): N/A

FOLLOW UP ACTION(S): N/A

ADVERTISING, NOTICE AND PUBLIC CONTACT: Agenda Posting

ATTACHMENTS: Audit Certificate and Warrant List

WARRANT LIST

AVALON CITY COUNCIL
MEETING OF JANUARY 7, 2014

CHECK NUMBER	AMOUNT	PAYEE	DESCRIPTION
17484	12/10/13	46,974.55 CALPERS	10/30-11/12/2013 RETIREMENT
17485	12/10/13	1,763.49 CALPERS	10/30-11/12/2013 RETIREMENT PEPRA
17486	12/10/13	46,851.68 CALPERS	11/13-11/26/2013 RETIREMENT
17487	12/10/13	1,939.53 CALPERS	11/13-11/26/2013 RETIREMENT PEPRA
17488	12/11/13	80.61 CALPERS	ADDTL. RETIRMENT 10/30-11/12/2013
17489	12/11/13	80.61 CALPERS	ADDTL. RETIRMENT 11/13-11/26/2013
17490	12/12/13	10,610.00 CALIFORNIA COASTAL COMM.	PERMIT APPLICATION - FUEL DOCK
17491	12/12/13	46,379.70 JORDAHL CONSTRUCTION, INC.	PROGRESS PYMT - PEBBLY BCH PROJ.
17492	12/12/13	17,560.80 OUTBOARD EXCHANGE	OUTDRIVE MOTORS - HARBOR
17493	12/12/13	640.00 SWRCB	PERMIT APPLICATION - FUEL DOCK
17494	12/12/13	172.41 ZEST CATERING & EVENTS	BALANCE DUE - HOLIDAY PARTY
17495	12/20/13	60.20 AIRSOURCE INDUSTRIES	SUPPLIES - FIRE
17496	12/20/13	684.78 ALEGRIA, VALENTE	QTRLY MEDICAL REIMB OCT-DEC 13
17497	12/20/13	18,341.00 ALLIANT INSURANCE SERVICES	POLICY RENEWAL - FUEL DOCK
17498	12/20/13	237.80 AMERIFLEX	FSA ADMIN FEES - DEC 2013
17499	12/20/13	4,000.37 AMERICAN EXPRESS	CREDIT CARD CHGS - ALL DEPTS
17500	12/20/13	870.00 ANTONIO'S	SENIOR MEALS - NOV 2013
17501	12/20/13	79.25 AT & T LONG DISTANCE	LONG DISTANCE - ALL DEPTS
17502	12/20/13	114,686.58 AVALON ENVIRONMENTAL SERV.	CONTRACT SVCS - NOV 2013
17503	12/20/13	35,793.78 AVALON FUEL FACILITIES	FUEL - FUEL DOCK
17503	12/20/13	3,482.11 AVALON FUEL FACILITIES	FUEL - HBR/PW/FIRE/ADMIN
17504	12/20/13	44,453.18 BEST, BEST & KRIEGER, LLP	CONTRACT SVCS - NOV 2013
17505	12/20/13	7,720.00 BEYOND SOFTWARE SOLUTIONS	CONTRACT SVCS - ADMIN
17506	12/20/13	1,747.13 BURNS & MCDONNELL	CONTRACT SVCS - BB&K
17507	12/20/13	1,821.22 BLUE TARP FINANCIAL	SUPPLIES - GARAGE
17508	12/20/13	47,318.07 CALPERS	11/27-12/10/2013 RETIREMENT
17509	12/20/13	1,965.38 CALPERS	11/27-12/10/2013 RETIREMENT PEPRA
17510	12/20/13	259.06 CATALINA BEVERAGE	SUPPLIES - ALL DEPTS
17511	12/20/13	540.00 CATALINA EXPRESS	TRAVEL - PLANNING
17511	12/20/13	28,988.40 CATALINA EXPRESS	2ND HALF NOV 2013 - SUBSIDY
17512	12/20/13	2,344.56 CATALINA FREIGHT LINE	FREIGHT - ALL DEPTS
17513	12/20/13	174.00 CATALINA ISLAND PLUMBING	SERVICE - GARAGE
17514	12/20/13	500.00 CATALINA ISLANDER	ADVERTISING - ADMIN
17515	12/20/13	297.00 CATALINA PEST CONTROL	SERVICE - HARBOR
17516	12/20/13	9.84 CHET'S HARDWARE	SUPPLIES - CODE
17517	12/20/13	7,360.00 CONSTRUCTORS PLUS	CONTRACT SVCS - ADMIN
17518	12/20/13	176,272.00 CO. OF LA FIRE DEPARTMENT	PARAMEDIC CONTRACT - 2ND QTR
17519	12/20/13	98,711.50 CO. OF LA SHERIFF'S DEPT.	RESIDENT DEPUTY - OCT 2013
17520	12/20/13	98,711.50 CO. OF LA SHERIFF'S DEPT.	RESIDENT DEPUTY - NOV 2013
17520	12/20/13	4,967.60 CO. OF LA SHERIFF'S DEPT.	WATERFRONT PATROL - NOV 2013
17521	12/20/13	116.62 COASTLINE EQUIPMENT	SUPPLIES - GARAGE
17522	12/20/13	2,682.72 DAWES, BRIAN	MEDICAL REIMB JULY - DEC 2013
17523	12/20/13	256.00 DEWEY PEST CONTROL	SERVICE - ADMIN/HARBOR
17524	12/20/13	7,000.00 DIGITAL MAP PRODUCTS	SOFTWARE RENEWAL - PLANNING
17525	12/20/13	42,384.35 EDISON	UTILITIES - ALL DEPTS
17526	12/20/13	2,293.99 ENVIRONMENTAL ENGINEERING	CONTRACT SVCS - BB&K
17527	12/20/13	220.00 EROEN, RON	REIMB O/P COSTS - TRAINING
17528	12/20/13	774.00 ESGIL CORPORATION	PLAN CHECK SERVICES - PLANNING
17529	12/20/13	1,810.00 FAST & FAIR CONSTRUCTION	SERVICE - FUEL DOCK
17530	12/20/13	218.89 GEMPLER'S	UNIFORMS - PUBLIC WKS
17531	12/20/13	2,777.80 HELVETIC CONSULTING, INC.	CONTRACT SVCS - PLANNING
17532	12/20/13	1,412.88 HERNANDEZ, OLGA	MEDICAL REIMB JULY - DEC 2013

17533	12/20/13	100.00	HIBBS, JUDY	TREMONT HALL REFUND OF DEPOSIT
17534	12/20/13	609.50	H & H PORTABLE WELDING, INC.	SUPPLIES - FIRE
17535	12/20/13	24,382.62	IAG, LTD	CONTRACT SVCS - BB&K
17536	12/20/13	5,050.62	IDEXX DISTRIBUTION, INC.	SUPPLIES - CDO
17537	12/20/13	324.00	ISLAND TOY STORE	REFUND - PLANNING FEES
17538	12/20/13	152.33	INTERACTIVE RESTAURANT CONSUL.	CONCESSION PLANS - JMF
17539	12/20/13	2,765.00	KAPPA SURVEYING	SERVICE - LOWER TERRACE PROJ.
17540	12/20/13	2,386.43	KINGSCOTE CHEMICALS	SUPPLIES - HARBOR
17541	12/20/13	11,492.00	LOCAL GOVERNMENT SERVICES	CONTRACT SVCS - ADMIN
17542	12/20/13	1,771.20	LOPEZ, LEONARD	MEDICAL REIMB JULY - DEC 2013
17543	12/20/13	1,032.62	MATTHEWS	SUPPLIES - CEMETERY
17544	12/20/13	800.00	MGT OF AMERICA	SERVICE - SB 90 REPORTING
17545	12/20/13	2,850.00	MONTGOMERY, LORI	SERVICE - ADMIN
17546	12/20/13	65.39	MORENO, TOMAS	REIMB O/P COSTS - UNIFORMS
17547	12/20/13	774.00	MR. NING'S	SENIOR MEALS - NOV 2013
17548	12/20/13	1,840.35	NAPA AUTO PARTS	SUPPLIES - GARAGE
17549	12/20/13	1,524.21	PEBBLY BEACH BUILDING SUPPLY	SUPPLIES - ALL DEPTS
17550	12/20/13	120.22	PONCE, MICHAEL	REIMB O/P COSTS - TRAVEL
17551	12/20/13	108.60	PORT SUPPLY	SUPPLIES - HARBOR
17552	12/20/13	473.66	QUILL CORP.	SUPPLIES - ALL DEPTS
17553	12/20/13	543.47	RADDE, DENISE	REIMB O/P COSTS - TRAVEL
17554	12/20/13	463.36	RICOH USA, INC.	OFFICE SUPPLIES - ALL DEPTS
17555	12/20/13	854.91	ROMO, JOHN	QTRLY MEDICAL REIMB OCT-DEC 13
17556	12/20/13	1,440.00	SAND TRAP	SENIOR MEALS - SEPT/OCT 2013
17557	12/20/13	3,376.82	SANI-TEC USA	CITY RESTROOM SUPPLIES
17558	12/20/13	359.27	SANTA CATALINA ISLAND RESORT	UTILITIES - ADMIN
17559	12/20/13	9,231.01	SIEMENS	BIOXIDE - WWTP
17560	12/20/13	5,514.75	SIMPLOT PARTNERS FULLERTON	SUPPLIES - JMF
17561	12/20/13	13.04	SPRINT	LONG DISTANCE - ADMIN
17562	12/20/13	2,007.00	SUNGARD PUBLIC SECTOR, INC	SOFTWARE LEASE - JAN 2014
17563	12/20/13	337.93	UNITED COMMUNICATIONS CORP.	SUPPLIES - FIRE
17564	12/20/13	285.91	U.S. JETTING, LLC	SUPPLIES - WWTP
17565	12/20/13	479.53	VERIZON WIRELESS	COMMUNICATIONS - ALL DEPTS
17566	12/20/13	800.00	WITTMAN ENTERPRISES	SERVICE - NOV 2013
17567	12/20/13	9,520.00	VEGA, EDMUNDO	CONTRACT SVCS - JAN 2014
17568	12/20/13	8,342.00	SIRIA'S CLEANING SERVICE	CONTRACT SVCS - DEC 2013
17569	12/20/13	36,844.25	CATALINA TRANSPORTATION	ART/DAR/ACT - JAN 2014
17570	12/20/13	1,950.62	LICARI, TONY	CONTRACT SVCS - JAN 2014
17571	12/20/13	75,166.67	CHAMBER OF COMMERCE	TOT - JANUARY 2014
17572	12/20/13	37,500.00	CIMC	SUBSIDY - JANUARY 2014

\$ 1,191,050.23

RECORD OF CHECKS DRAWN ON DECEMBER 10, 11, 12 AND 20, 2013 FOR CM OF 01/07/14

MONTH OF JANUARY

US BANK WARRANT #17484 - #17487	\$97,529.25	12/10/2013
US BANK WARRANT #17488 - #17489	\$161.22	12/11/2013
US BANK WARRANT #17490 - #17494	\$75,362.91	12/12/2013
US BANK WARRANT #17495 - #17572	\$1,017,996.85	12/20/2013
EFT TO BOE - FUEL DOCK SALES TAX	\$3,913.00	December 2013
		\$1,194,963.23
PAYROLL DATED December 13, 2013	\$187,291.69	
PAYROLL DATED December 27, 2013	\$184,749.58	
		\$372,041.27
TOTAL DISBURSEMENTS	\$1,567,004.50	\$1,567,004.50

CERTIFICATE

APPROVED AND AUDITED
THIS 7TH DAY OF JANUARY 2014

IN ACCORDANCE WITH SECTION 32702
OF THE GOVERNMENT CODE, I CERTIFY
THAT THE ABOVE DEMANDS ARE ACCURATE
AND THAT FUNDS ARE AVAILABLE FOR
PAYMENT.

I CERTIFY UNDER PENALTY OF PERJURY
THAT THE FOREGOING IS TRUE AND
CORRECT.

EXECUTED THIS 7TH DAY OF JANUARY 2014

AUDIT COMMITTEE - W.F. OLSEN

CITY MANAGER - BEN HARVEY

AUDIT COMMITTEE - RALPH MORROW

Betty Jo Garcia

FINANCE DIRECTOR - BETTY JO GARCIA

CITY COUNCIL

MEETING DATE: January 7, 2013
ORIGINATING DEP: Recreation
PREPARED BY: Jordan Monroe, Management Aid
SUBJECT: Vehicle Noise Ordinance Enforcement Administrative Policy

ADENDA ITEM: 3

CITY MANAGER: BH

RECOMMENDED ACTION(S):

Review and approve administrative policy for the enforcement timeline of Avalon Municipal Code Sec. 4-4.1713 Vehicle Noise.

REPORT SUMMARY:

See attached Administrative Policy Guidelines

FOLLOW UP ACTION:

Implement City Council direction.

ADVERTISING, NOTICE AND PUBLIC CONTACT:

This item was properly listed on the posted agenda.

ATTACHMENTS:

- o Administrative Policy for the enforcement timeline of Avalon Municipal Code Section 4-4.1713

- o Avalon Municipal Code Sec. 4-4.1713

Vehicle Noise Ordinance Enforcement

Purpose:

To establish an administrative policy for the enforcement timeline of Avalon Municipal Code Sec. 4-4.1713 Vehicle Noise as per direction of the Avalon City Council.

General:

Noise Limits for vehicles operated in the City of Avalon have been a part of the Avalon Municipal Code since 1977. In 2000 noise limits were updated to reflect the proliferation and impact of large vehicles (6,000 pounds or more) - 82 dB, motorcycles - 77 dB, and other motor vehicles - 74 dB. During the December 17, 2013 Council meeting, the City Council directed staff to establish a policy to enforce this ordinance already on the books. No changes are proposed to the municipal code. However, instead of directing immediate enforcement and issuing violation infractions, City Council instead set forth a time table of enforcement to allow for education, notice and compliance to occur for the residents of Avalon.

Procedures:

Vehicles can be brought to Avalon City Hall for noise testing. A certificate will be issued after testing passing or failing the vehicle as it pertains to the noise ordinance.

Vehicles that pass the noise test can be registered and receive a City of Avalon sticker as per standard procedure.

Vehicles that fail the noise test have six months from March 31, 2014, the last day of vehicle registration, to make necessary repairs to their vehicle before violation infractions are issued.

The time table is as follows:

December 17, 2013: Transportation Opportunities presentation given to the Avalon City Council. Council votes to direct staff to enforce the existing Vehicle Noise Ordinance.

January 7, 2014: Administrative Policy regarding Noise Ordinance enforcement presented to the City Council as part of the consent calendar.

February 1 – March 31, 2014: Annual vehicle registration takes place at Avalon City Hall. Each vehicle will be tested for compliance with the noise ordinance.

September 30, 2014: Last day to have vehicle retested for vehicle noise compliance before violation enforcement begins.

Sec. 4-4.1713 Vehicle Noise.

(a) *Prohibited Installations and Noise Limits.* It shall be unlawful for any person to own or operate an autoette which has a speaker or speakers or other sound amplification device mounted, fixed or secured and directs or points the sound away from the occupants or toward the outside of the autoette. Except as provided herein, it shall be unlawful for any person to operate an automobile, truck, motorcycle or autoette on any street or public right-of-way, or on any private street or right-of-way designated in Section 4-4.1301, and within the City limits, if the operation of said automobile, truck, motorcycle or autoette generates a sound level which is unreasonably loud, offensive, or excessive to a person with normal hearing sensitivity. A sound level which exceeds the following measurements shall be conclusive proof of an unreasonable sound level under this section: (1) Any motor vehicle with a manufacturer's gross vehicle weight rating of six thousand (6,000) pounds or more and any combination of vehicles towed by such motor vehicle - 82 dB; (2) Any motorcycle other than a motor driven cycle - 77 dB; (3) Any other motor vehicle and any combination of vehicles towed by such motor vehicle - 74 dB.

Measurement of decibels levels shall be made pursuant to the testing procedures set forth in subsection (b) herein.

(b) *Testing Procedure.*

(1) *Instrumentation.* Noise levels shall be measured by a sound level meter which meets ANSI S1.4 Type 1-IEC 651 or ANSI S1.4 Type 2-IEC651 requirements of the American National Standard Specifications for Sound Level Meters and which has been calibrated with an accuracy of + or - 0.5 dB within the time period recommended by the manufacturer.

(2) *Test Site; Local Conditions.* Measurement shall be made after the vehicle travels for a distance of at least twenty (20') feet and is at a constant speed of between fifteen (15) and twenty (20) m.p.h. in an open space which consists of a reasonably flat area made of concrete, asphalt, or other hard material having a high acoustical reflectivity. Ambient noise levels at the measuring site during such testing shall be at least 15 dB less than the maximum measurement permitted hereunder for the vehicle to be tested.

(3) *Measurement.* At least one measurement shall be made. Additional measurements may be taken if the vehicle to be tested is not driven at constant speeds or for the distance specified above. The measurement shall be made by holding the instrument at waist level, directed at the vehicle as it passes and from a distance of twenty-five (25') feet from the vehicle.

(4) *Statement of Results.* A test report shall be made which includes all relevant details regarding the testing, including identification of the vehicle tested, the type of vehicle, a description of abnormal conditions, the location of the test site, ground conditions and weather conditions, measurement instrumentation, location and orientation of the instrument, sound level determined by the test(s), and the background sound level at each measuring point.

(c) *Violations.* Violations of this section shall be punishable as an infraction. All violations shall be subject to a correction notice in accordance with the provisions of Vehicle Code section 40610. A first violation shall be subject to a Fifty and no/100th (\$50.00) Dollar fine; a second violation within one (1) year shall be subject to a Seventy-Five and no/100th (\$75.00) Dollar fine; each additional violation within one (1) year shall be subject to a One Hundred Fifty and no/100th (\$150.00) Dollar fine. In addition, no vehicle permit may be issued for an autoette which contains sound amplification installations in violation of this section.

(§2, Ord. 977-00, eff. April 6, 2000; §§1, 2, Ord. 1053-07, eff. June 14, 2007)

CITY COUNCIL

MEETING DATE: January 7, 2014

AGENDA ITEM: 4

ORIGINATING DEPT: Planning

CITY MANAGER: BA

PREPARED BY: Amanda Cook

DEPT. HEAD: of Cook

SUBJECT: Annual Report on the Development Agreement between City of Avalon and Hamilton Pacific LLC

RECOMMENDED ACTION(S): Accept and file report.

REPORT SUMMARY: The Development Agreement with Hamilton Pacific LLC requires an annual report of the status of the development governed by the agreement. Work/development completed in 2013 includes:

A third Single Family Dwelling was completed in October.

A Tentative Tract Map to subdivide four parcels into 12 parcels for single family dwellings was approved by the Planning Commission in July. The Map was submitted for review and approval by the City's consultant engineer in December.

Fire Truck Payments:

The original Development Agreement, dated 2008, required a payment of \$75,000 towards the purchase of the fire truck before the City would issue the Certificate of Occupancy for the first phase. Unfortunately, the DA did not include a clear definition of what constituted a phase. In March, 2009, the City issued the Certificate of Occupancy for a single family residence at 200 Mar De Cortez. In 2011, the City amended the DA and the phases were defined as up to 10 units, (attached or SFR's) and the payment schedule for the fire truck was amended to be \$6250 for the first twelve units, to be paid prior to the City issuing the Certificate of Occupancy. We have received payments for each of the SFR's constructed since the DA was amended in 2011. (12/28/2011 & 02/19/13).

FISCAL IMPACTS: None

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION(S): The requirement in the Development Agreement for an annual report will not be met.

ALTERNATIVE ACTION(S): None.

FOLLOW UP ACTION(S): None

ADVERTISING, NOTICING AND PUBLIC CONTACT:

This item is included on the posted Agenda.

CITY COUNCIL

MEETING DATE: January 7, 2014

AGENDA ITEM: 5

ORIGINATING DEP: City Manager's Office

CITY MANAGER: BH

PREPARED BY: Ben Harvey

SUBJECT: Project Management Contract Services

RECOMMENDED ACTION(S): Authorize the City Manager to award and enter into a professional services contract with Local Government Services Authority (LGS) to provide project management services in areas determined by the City Manager. Areas subject to project management expertise include budget, information technology, organizational development, human resources and contract management .

REPORT SUMMARY: The City of Avalon originally entered into an agreement with LGS for \$25,000 on August 6, 2013 under the extension of professional services for Finance. LGS provided staff familiar to the City's process and reduced the rate to the City by \$30 to \$84.50 per hour for budget related services. LGS's staff, Gina Schuchard, will continue to provide budget related services as well as services associated with information technology, organizational development, human resources and contract management. This is the third extension of the contract.

FISCAL IMPACTS: The FY13-14 budget includes funds for project management in Account 101-30-5005 General Administration Fund- Finance Dept: Professional Services- General Account.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: The City will delay action in key organizational improvement projects.

ALTERNATIVE ACTIONS: Decline to enter into a contract.

FOLLOW UP ACTION: Execute the contract under the direction of the City Manager's Office.

ADVERTISING, NOTICE AND PUBLIC CONTACT: Pursuant to the Brown Act.

ATTACHMENTS: Local Government Services Authority (LGS) Contract

CITY COUNCIL

MEETING DATE: January 7, 2014
ORIGINATING DEP: Recreation
PREPARED BY: Jennifer Monroe, Recreation Coordinator
SUBJECT: Request for Proposal (RFP): Joe Machado Field Concession Stand Lessee

ADENDA ITEM: 6
CITY MANAGER: BH

RECOMMENDED ACTION(S):

Authorize Staff to proceed with Advertisement for Public Bids on the Joe Machado Field Concession Stand Lessee and approve the RFP document details.

REPORT SUMMARY:

The City Council has discretionary authority to approve the RFP details and requirements to be included in the lessee's contract. The RFP requirements requested to be provided by the applicants meet or exceed Avalon Municipal Code requirements.

The City of Avalon is not currently in contract with a concessionaire, and revenue has not been collected for use of the Joe Machado Field concession space since 2010. The City of Avalon previously conducted an interview process for a concessionaire, and selected a successful candidate (Marjorie Wahl, doing business under the name The Dugout). However, a contract was never entered into and/or signed. In addition, this previous concessionaire interview and selection effort was prior to the purchase of the current concession stand and restroom buildings now in place at Joe Machado Field.

The Joe Machado Concession Stand construction is scheduled for completion in mid-April of 2014. However, The City of Avalon desires to have a concessionaire in place prior to the completion of the construction, and therefore proposes to begin advertising immediately for this contract. The RFP attached varies greatly from the one advertised in 2010, in that it allows for the concessionaire to open when games are not scheduled, if they so choose. Staff believes this will provide an opportunity for increased revenue to both the City and the Lessee.

FISCAL IMPACTS:

Revenues gained by signing a contract with a Lessee will be not less than \$16,560 annually, based on the Lessee paying the greater of \$5 per lineal square foot or 8% of their monthly gross receipts of food and beverage sales and 10% of their monthly gross receipts of retail sales to the City of Avalon as rent for utilization of the space.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:

The City of Avalon will not have the revenue generated by renting their commercial property.

FOLLOW UP ACTION:

Implement City Council direction.

ADVERTISING, NOTICE AND PUBLIC CONTACT:

This item was properly listed on the posted agenda.

ATTACHMENTS:

Request for Proposals for Joe Machado Field Concession Stand Lessee

CITY COUNCIL

MEETING DATE: January 7, 2014

AGENDA ITEM: 7

ORIGINATING DEPT: Planning

CITY MANAGER: BA

PREPARED BY: City Attorney/City Manager

DEPT. HEAD: _____

SUBJECT: Encroachment Permit for Southern California Edison Underground Utility Vaults at Two Locations

RECOMMENDED ACTION(S): Approve Encroachment Permits with recommended conditions.

REPORT SUMMARY:

Henkels & McCoy (Henkels) is undertaking the underground utility vaults replacement project on behalf of Southern California Edison (SCE). Henkels is the encroachment permit applicant.

The applicant is proposing to remove and replace two existing underground utility vaults in the public right of way in the street. The vaults are located (1) between 123 Metropole Avenue and Crescent Avenue and (2) Adjacent to 131 Metropole Avenue near Beacon Street. The existing vaults have reached the end of their lifespan. The new vaults will be more structurally and mechanically sound, thereby ensuring the continued reliable provision of utility services to the City and ensuring a safe work environment for SCE employees performing work in the vaults.

The Municipal Code states that an encroachment may be granted if the City Council determines an encroachment is necessary or desirable, that the use of the encroachment does not create a substantial adverse impact on persons or property, and that the encroachment use does not adversely affect the public health, welfare or safety.

In accordance with direction provided by the City Council at the December 17, 2013 meeting, Henkels will be commencing project work at the underground utility vault located at 123 Metropole Avenue (vault number V5062558, near Crescent Avenue) prior to the vault located at 131 Metropole Avenue (vault number V5062584, near Beacon Street). Of the two underground utility vault locations, the vault located at 123 Metropole Avenue has been determined to be the more complex effort, with the greatest forecasted impact on the surrounding area and customers. Accordingly, project work will start at 123 Metropole Avenue to attempt to complete the construction efforts at this underground utility vault first. Following City Council approval, project work will commence on January 9, 2014 and will endure until March 31, 2014 (approximately). A forecasted project schedule for the replacement of the two underground utility vaults is attached.

At Staff's urging, Henkels has met with all impacted customers from the project area, including hotels, restaurants and the Von's grocery store to discuss the forecasted outage durations and business impact. Henkels has further offered counsel to those businesses seeking backup generation to ensure the continuity of their operations. Finally, Henkels will be patronizing those

businesses (including hotels and restaurants) most directly impacted by the underground utility vaults replacement project in an effort address the potential impact the project may have and help bolster their sales during the project construction period.

Staff is recommending approval of the encroachment permits with the following conditions:

1. Prior to the issuance of the Encroachment Permits, the City must receive, review, and approve, the following documents:
 - a. Traffic control plans for the affected streets;
 - b. Dewatering plan in which all water is filtered before entering the sewage system;
 - c. Excavation/Shoring Plan;
 - d. Storm water runoff devices to be used;
 - e. Backfill materials to be used;
 - f. Grading plans, if applicable;
 - g. Supports of relocations for existing utilities;
 - h. Which trees, if any, will be removed and the tree replacement plan.
2. Any portion of public property disturbed by the installation of the underground vaults will be restored to the same or better condition as existed prior to the installation of the replacement vaults. Specifically,
 - a. Asphalt areas must be repaved completely across the street, not limited to only the areas disturbed;
 - b. Replacement trees must be approved by the City, which will verify replacement trees have been properly planted, are in good condition, and are likely to grow;
 - c. All traffic markings will be repainted;
 - d. Sidewalks, planters, and all other improvements must be replaced to the nearest construction joint;
 - e. All debris must be hauled away; excavation and installation site must be completely clean.
3. The applicant shall be held responsible for any necessary repairs to public property following installation, pursuant to Public Utilities Code section 6295 (“The [holder of a utility franchise] shall pay to the municipality on demand the cost of all repairs to public property made necessary by any of the operations . . . under the [utility] franchise.”).

FISCAL IMPACTS: None

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION(S): Applicant would not be able to update electrical vaults.

ALTERNATIVE ACTION(S): None

FOLLOW UP ACTION(S): None

ADVERTISING, NOTICING AND PUBLIC CONTACT: Pursuant to the Brown Act.

ATTACHMENTS: Project construction schedule.

Construction Schedule for 2 vault replacements on Metropole Ave.

1-3-2014

This schedule is tentative as site conditions and electrical conditions may require adjustments to vault set and outage dates.

Work Schedule

- 8:00 AM to 7:00 PM Monday – Saturday (no work on Sunday).

V5062558 (In front of Von's, nearest to ocean)

Start work 1/9/2014

1/9 – Mobilize Equipment and Setup Site

1/9 – Remove Trees from site

1/10 to 1/13 – Set well point and dewater

1/13 to 1/17 – Excavate and set shoring

1/15 to 1/17 – Break Encasement

1/15 to 1/18 – Expose Cables

1/20 – Martin Luther King day

Shoofly Outage 1/22 to 1/23 Midnight. Outage will last for 10 to 12 hours. 8:00 PM to 8:00 AM time frame

1/23 to 1/27 - Heavy Demolition, excavation, and more shoring

Set Vault 1/27/2014 or 1/28/2014

1/27 to 1/31 – Prepare electrical to remove shoofly

Remove Shoofly Outage 1/30 to 1/31 Midnight. Outage will last for 10 to 12 hours. 8:00 PM to 8:00 AM time frame

1/31 to 2/3 - Repair conduits and prep conduit banks

2/4 to 2/6 - Pour encasement over conduit banks and remove shoring (Excavator and slurry trucks)

2/6 to 2/7 - Backfill, set necking and vents to pavement height, and compact jobsite (backhoe and slurry trucks)

- We will move our equipment to the other site at this time to make room for restoration

2/10 to 2/14 – Frame and Pour Curb, Gutter, Side Walk, and Paving.

Complete Restoration 2/14/2014

V5062584 (closest to Beacon)

Note: The bench replacement is not included because the extent of repair is still being determined.

Start work 2/14/2014

2/14 – Pothole, and Setup Site

2/14 to 2/18 – Excavate and set shoring

2/17 to 2/19 – Break Encasement

2/18 to 2/19 – Expose Cables

Shoofly Outage 2/20 to 2/21 Midnight. Outage will last for 8 to 10 hours. 10:00 PM to 8:00 AM time frame

2/21 to 2/25 - Heavy Demolition and more shoring (jack hammering, excavator with breaker, dump trucks)

Set Vault 2/26/2014

2/27 to 3/3 – Prepare electrical to remove shoofly

Remove Shoofly Outage 3/4 to 3/5 Midnight. Outage will last for 8 to 10 hours. 10:00 PM to 8:00 AM time frame

3/5 to 3/7 – Repair conduits and prep conduit banks

3/7 to 3/12 - Pour encasement over conduit banks and remove shoring (Excavator and slurry trucks)

3/12 to 3/14 - Backfill, set necking and vents to pavement height, and compact jobsite (backhoe and slurry trucks)

3/17 to 3/19 - Frame and Pour Curb, Gutter, Side Walk, and Drive Way.

3/20 to 3/21 – Cap pavement at both locations

Complete Restoration 3/21/2014

CITY COUNCIL

MEETING DATE: January 7, 2014

AGENDA ITEM 9

ORIGINATING DEP: Administration

CITY MANAGER: ZH

PREPARED BY: Dudley Morand, Vehicle Clerk

SUBJECT: Transportation Permit Amendment for "Bike Catalina"

RECOMMENDED ACTION(S):

Approve and direct Staff to finalize terms and conditions for Bike Catalina's Transportation Permit.

REPORT SUMMARY:

At a November 6, 2013 vehicle hearing the Vehicle Hearing Officer approved an Interior Commercial Vehicle Permit for Bike Catalina, pending the amendment of its transportation permit allowing the transportation of customers between Avalon and the Interior. Prior to this permit Bike Catalina was restricted to transporting bikers by Conservancy bus, which wasn't practical.

Municipal Code section 4-4.1703.5 states that an applicant for an Interior Commercial Vehicle Permit must demonstrate that the requested permit is necessary for the proper functioning of the commercial enterprise. Bike Catalina testified at the hearing that it transports its customers from the City to Airport in the Sky, where they are provided bikes. Bike Catalina currently relied on the shuttle to transport customers, but the shuttle is frequently fully booked or otherwise unavailable, leading to lost customers who do not want to wait up to two hours for an available shuttle.

FISCAL IMPACTS: Bike Catalina will pay a 4% Admissions Tax to the City.
Possible additional income to the City through licensing and other fees.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:

Bike Catalina will not be able to fulfill the conditions imposed by the Vehicle Hearing Officer, resulting in no Interior Commercial Vehicle Permit being granted.

FOLLOW UP ACTION: Implement City Council direction.

ADVERTISING, NOTICE AND PUBLIC CONTACT: Pursuant to the Brown Act.

ATTACHMENTS:

- Transportation Permit Amendment Application
- Vehicle Hearing Officer's decision